

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

01 NOV -6 PM 12: 52

STEPHEN A. SPEER,

Petitioner,

v.

ATTORNEY GENERAL FOR
THE STATE OF ALABAMA,

Respondent.

U.S. DISTRICT COURT
N.D. OF ALABAMA

CIVIL ACTION NO. 01-PT-1941-E

ENTERED
NOV 6 2001

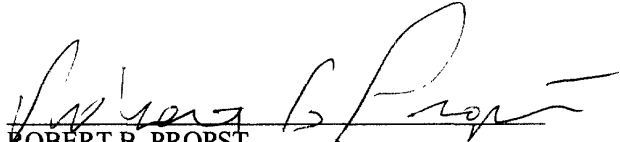
MEMORANDUM OF OPINION

On September 20, 2001 respondent filed a Motion for Leave to File Partial Response and Motion to Dismiss as Moot (document #8) stating that petitioner was scheduled to be released on parole on September 21, 2001. On October 3, 2001 an order was entered allowing petitioner an opportunity to respond to the motion to dismiss the petition as moot. (Document #9). Petitioner's copy of the court's October 3, 2001 order was returned stamped "RETURNED TO SENDER-UNDELIVERABLE AS ADDRESSED-NO FORWARDING ORDER ON FILE." Petitioner has not advised the court of his new address.

This action is due to be dismissed as moot due to petitioner's release from the Bureau of Prisons or, alternatively, this action is due to be dismissed for failure to prosecute based on petitioner's failure to notify the court of his new address.

An order consistent with this Memorandum of Opinion will be entered contemporaneously herewith.

DONE this the 6 day of November, 2001.


ROBERT B. PROPST

UNITED STATES DISTRICT JUDGE

10